

LEGISLATIVE AND POLICY EXAMPLES FOR DATA SHARING

Minnesota:

Report to Legislature:

- <http://www.mnp20.org/documents/LegislativeReport2012-FINAL.pdf>
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 - Minnesota P-20 Statewide Longitudinal Education Data System Charter - See pg. 2
- Legal Authorization
- http://mnp20.org/documents/P-20SLEDSSCharter_April2010.pdf

State of Minnesota Interagency Data Sharing Agreement

<http://www.ohe.state.mn.us/pdf/DataSharingAgreement-MDE.pdf>

Illinois - Compiled Statutes on P-20 Longitudinal Education Data System Act

- <http://law.onecle.com/illinois/105ilcs13/20.html>

Michigan - P-20 Longitudinal Data System Advisory Council

http://www.michigan.gov/snyder/0,4668,7-277-57738_57679_57726-252714--,00.html

Maryland

§ 24-702. Maryland Longitudinal Data System.

(a) Established.- The State Department of Education, Maryland Higher Education Commission, University System of Maryland, Morgan State University, St. Mary's College of Maryland, and Department of Labor, Licensing, and Regulation jointly shall establish the Maryland Longitudinal Data System that shall be fully operational by December 31, 2014.

(b) In general.- The Maryland Longitudinal Data System is a statewide data system that contains individual-level student data and workforce data from all levels of education and the State's workforce, and allows the Center to:

(1) Effectively organize, manage, disaggregate, and analyze individual student data; and

(2) Examine student progress and outcomes over time, including preparation for postsecondary education and the workforce.

(c) Time period for linkage of student data and workforce data.- The linkage of student data and workforce data for the purposes of the Maryland Longitudinal Data System shall be limited to no longer than 5 years from the date of latest attendance in any educational institution in the State.

(d) Purpose.- The purpose of the Maryland Longitudinal Data System is to:

(1) Generate timely and accurate information about student performance that can be used to improve the State's education system and guide decision makers at all levels; and

(2) Facilitate and enable the linkage of student data and workforce data.

[2010, ch. 190.]

North Dakota

<http://www.legis.nd.gov/assembly/62-2011/documents/11-0289-07000.pdf>

Wisconsin

115.297 Cooperative research on education programs; statewide student data system.

115.297(1) (1) Definitions. In this section:

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115.297(1)(a) (a) "Agencies" means the department, the board of regents of the University of Wisconsin System, the technical college system board, and the Wisconsin Association of Independent Colleges and Universities.

115.297(1)(b) (b) "Personally identifiable" means personally identifiable information, as defined in 34 CFR 99.3.

115.297(1)(c) (c) "Postsecondary education" means education at an institution of higher education occurring after the completion of high school, including undergraduate, graduate and professional education.

115.297(1)(d) (d) "Student data" means information contained in education records, as defined in 34 CFR 99.3, and pupil records, as defined in s. 118.125 (1) (d).

115.297(2) (2) Evaluations and studies of education programs. Any of the agencies on their own or jointly with one or more of the other agencies may evaluate and study education programs operated or supervised by one or more of the other agencies, pursuant to the written agreement entered into under sub. (3), for the purpose of improving student academic achievement beginning with preschool programs and continuing through postsecondary education.

115.297(3) (3) Written agreement. By February 1, 2010, the agencies shall enter into a written agreement that does all of the following:

115.297(3)(a) (a) Requires that the agencies establish and maintain a longitudinal data system of student data that links such data from preschool programs to postsecondary education programs, and describes the process by which the data system will be established and maintained. The data system may consist of separate record systems integrated through agreement and data transfer mechanisms.

115.297(3)(b) (b) Describes the process by which any of the agencies on their own or jointly with one or more of the other agencies may evaluate and study education programs operated or supervised by one or more of the other agencies for the purpose of improving student academic achievement beginning with preschool programs and continuing through postsecondary education.

115.297(3)(c) (c) Prohibits any of the agencies from evaluating or studying another agency's education programs without the approval of the latter agency and a written agreement specifying the level of supervision and involvement that each of the agencies will have in the work performed.

115.297(3)(d) (d) Requires the agencies to exchange student data to the extent necessary to perform the evaluation or study approved under par. (c).

115.297(3)(e) (e) Establishes a system for the agencies to enter into data-sharing agreements with each other and with public and private research organizations under sub. (4).

115.297(3)(f) (f) Establishes a process by which one or more of the agencies may collaborate with other persons, including state agencies, to import workforce or other data into the

longitudinal data system under par. (a) to assist with an evaluation or study approved under par. (c).

115.297(3)(g) (g) Commits the agencies to protect student privacy and comply with laws pertaining to the privacy of student data.

115.297(4) (4) Data sharing.

115.297(4)(a) (a) Except as provided in par. (b), any of the agencies may submit student data to the longitudinal data system under sub. (3) (a), to another agency, or to a public or private research organization, to support an evaluation or study under this section.

115.297(4)(b) (b) Any of the agencies may disclose personally identifiable student data to the longitudinal data system under sub. (3) (a), to another agency, or to a public or private research organization, to support an evaluation or study under this section if the disclosure is in connection with a data-sharing agreement that does all of the following:

115.297(4)(b)1. 1. Specifies the purpose, scope, and duration of the data-sharing agreement.

115.297(4)(b)2. 2. Requires the recipient to use personally identifiable student data only for the purpose specified in subd. 1.

115.297(4)(b)3. 3. Describes the specific data access, use, and security restrictions with which the recipient will comply.

115.297(4)(b)4. 4. Requires that the personally identifiable student data be destroyed or returned when no longer needed for the purpose specified in subd. 1. or upon expiration of the data-sharing agreement, whichever occurs first.

115.297(4)(b)5. 5. If the disclosure is to a public or private research organization, prohibits the personal identification of any person by individuals other than authorized representatives of the recipient who have legitimate interests in the information.

115.297(5) (5) Existing authority; exceptions.

115.297(5)(a) (a) Nothing in this section, and nothing in the written agreement under sub. (3) or in a data-sharing agreement entered into under sub. (4), may be construed to infringe upon or diminish the legal authority of any of the agencies.

115.297(5)(b) (b) Failure of any of the agencies to enter into a written agreement under sub. (3) does not affect the powers and duties conferred upon the other agencies under this section or under s. 36.11 (31) or 38.04 (19).

115.297(5)(c) (c) Notwithstanding sub. (3), the Wisconsin Association of Independent Colleges and Universities is not required to enter into the written agreement under that subsection.

Notwithstanding sub. (2), if the Wisconsin Association of Independent Colleges and Universities does not enter into the written agreement, none of the other agencies may evaluate or study the association's education programs without the approval of the association.

115.297 History History: 2009 a. 59.